

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MATTHEW B. CRAMER,

Plaintiff,

v.

JEFF MACOMBER, et al.,

Defendants.

No. 1:25-cv-00489-JLT-SAB (PC)

ORDER DIRECTING CLERK OF COURT  
TO TERMINATE ACTION PURSUANT TO  
PLAINTIFF'S MOTION FOR VOLUNTARY  
DISMISSAL

(ECF No. 12)

Plaintiff is proceeding pro se in this action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff's motion to voluntarily dismiss this action, without prejudice, filed June 2, 2025. (ECF No. 12.)

"[U]nder Rule 41(a)(1)(i), a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment." Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999) (quotation and citation omitted). "[A] dismissal under Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no action had been brought, the defendant can't complain, and the district court lacks jurisdiction to do anything about it." Id. at 1078. No defendant has been served in this action and no defendant has filed an answer or motion for summary judgment.

///

1 Accordingly, this action is terminated, without prejudice, by operation of law without  
2 further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(i).

3  
4 IT IS SO ORDERED.

5 Dated: **June 4, 2025**

A handwritten signature in blue ink, appearing to read "Stanley A. Boone", is written over a horizontal line.

STANLEY A. BOONE  
United States Magistrate Judge